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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/198,240 11/23/98 TEBBE

J

QM12/1006

HERMAN H BAINS  
608 SOUTH 2ND AVENUE SUITE 1031  
MINNEAPOLIS MN 55402

EXAMINER

BISHOP, S

ART UNIT

PAPER NUMBER

3722

DATE MAILED:

10/06/99

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/198,240**

Applicant(s)

**Tebbe**

Examiner

**Steven C. Bishop**

Group Art Unit

**3722**



☐ Responsive to communication(s) filed on \_\_\_\_\_

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 1-9 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-9 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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***Specification***

1. The disclosure is objected to because of the following informalities:

On page 3, line 8, the title and Serial Number of the co-pending application should be added.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

2. Claims 1-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 5, "in said cylindrical" is confusing and appears to be superfluous.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over the following evidence: Drissner et al. and Grout et al.

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Drissner et al. disclose the invention essentially as claimed, but the cam member 60 cams the jaws closed when the piston rod is retracted, rather than advanced. Grout et al. show that it is well known in the art to cam pivoted jaws to the closed position by an advance movement of a frusto-conical cam element a3. Note also the cam follower elements 37 of Drissner et al. and b of Grout et al. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to configure the device of Drissner et al. to operate in the conventional manner shown by Grout et al.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Drissner et al. and Grout et al., as applied to claims 1-5 above, and further in view of Buck.

Buck shows that it is well known in the art to provide a chuck having generally rectangular clamping jaws with substantially flat clamping faces having a plurality of clamping teeth. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to configure the chuck jaws of Drissner et al. and Grout et al. with jaws such as those shown by Buck, in order to hold irregular workpieces, since Buck states at Col. 1, lines 16-25, that the jaws are particularly useful on irregular workpieces such as castings with sprues.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over the following evidence: Tebbe and Grout et al.

Tebbe discloses the invention essentially as claimed, but does not include the camming ring having slots that engage the opposed flat side surfaces of the jaws. Grout et al. show that it is old and well known in the art of pivoted jaw chucks to mount the jaws in a slot in the body, as

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seen in Figs. 3 and 4, the result being that the jaws are restrained against twisting. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to provide guide slots for the jaws of Tebbe, as suggested by Grout et al., since lateral support for pivoted jaws is inherently shown.

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tebbe and Grout et al., as applied to claim 7 above, and further in view of Buck.

Buck shows that it is well known in the art to provide a chuck with jaws having a recess having a pair of clamping teeth, the recess allowing sprues to project therein. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to configure the chuck jaws of Tebbe and Grout et al. with jaws such as those shown by Buck, in order to hold irregular workpieces, since Buck states at Col. 1, lines 16-25, that the jaws are particularly useful on irregular workpieces such as castings with sprues.

8. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tebbe, Grout et al., and Buck, as applied to claim 8 above, and further in view of Kuchenbrod.

Kuchenbrod shows that it is well known in the art to provide a chuck with V-shaped jaws in order to hold irregular workpieces. See Col. 3, lines 44-68. Note also that the jaws of Buck are somewhat V-shaped. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to further modify the chuck of Tebbe, Grout et al., and Buck to have V-shaped jaws, as shown to be conventional by Kuchenbrod.

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***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. In order to reduce pendency and avoid potential delays, Group 3720 is encouraging FAX of responses to Office Actions directly into the Group at (703) 305-3579. This practice may be used for filing papers not requiring a fee. It may also be used for filing papers which require a fee by applicants who authorize charges to a PTO deposit account. Please identify the examiner and Group at the top of your cover sheet. Papers submitted via FAX into Group 3720 will be promptly forwarded to the examiner.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Bishop whose telephone number is (703) 308-1731. The examiner can normally be reached on Monday through Thursday from 7:30 AM to 5:00 PM. The examiner can also be reached on alternate Fridays until 4:00 PM.

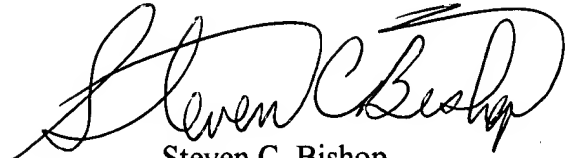
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-1148 .

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The fax phone number for this Group is (703) 305-3579 or 3580 (drafts and formal papers), or (703) 308-7769 (drafts only).

A handwritten signature in black ink, reading "Steven C. Bishop". The signature is fluid and cursive, with the first name "Steven" and last name "Bishop" clearly legible.

Steven C. Bishop  
Primary Examiner  
Art Unit 3722

scb  
September 30, 1999